



Planning Application Information Sheet

Application Type: Rezoning

File Number: 3360-20/20230045

Bylaw(s): Quesnel Fringe Area Zoning Amendment Bylaw No. 5446, 2023

Electoral Area: A

Date of Referral: September 21, 2023

Date of Application: August 24, 2023

Property Owner's Name(s): SELECT SEED COMPANY LTD

Applicant's Name: Brian Bennett

SECTION 1: Property Summary

Legal Description(s): District Lot 4958, Cariboo District, Except That Part Lying To The East of the Easterly Limit of Plan A173 and Except Plans A173, 6416 and 26734

Property Size(s): 61.31 ha (151.5 ac)

Area of Application: 20.8 ha (51.4 ac)

Location: Hazard Road

Current Designation:
Agricultural and Resource

Min. Lot Size Permitted:
32 ha (79.07 ac)

Current Zoning:
Resource/ Agricultural (RA 1)

Min. Lot Size Permitted:
32 ha (79.07 ac)

Proposed Zoning:
Rural 1 (RR 1)

Min. Lot Size Permitted:
4 ha (9.88 ac)

Proposal: This will allow for future consolidation of the proposed RR 1 zone area with neighbouring Lot A to the East. Rezoning is required to align with the RR 1 zone of the neighbouring property. Applicant indicates this will allow for the seed orchard that exists on the northern portion of the lot and allow for the continuation and expansion of the cattle grazing and hay production activity that is encroaching from Lot A to the east.

No. and size of Proposed Lots: N/A

Existing Buildings: None.

Proposed Buildings: None.

Road Name: Hazard Road

Road Type: Paved

Within the influence of a Controlled Access Highway: Cariboo HWY 97 S

Services Available: None

Within the confines of the Agricultural Land Reserve: Yes - fully within

Required to comply with the Shoreland Management Policy: Yes - Riparian only

Name of Lake/Contributing River: Fraser River and Dog Prairie Creek

Lake Classification: N/A

Within Development Permit Area: Yes

Development Permit Area Name: Aquatic Habitat Development Permit Area

Geotechnical Development Permit Area

Adjoining Properties: (Source: B.C.A.A.)

	Land Use:	Lot Sizes:
(a) North	Beef (Vacant)	39.8 ha (98.34 ac)
(b) South	Beef	28.35 ha (70.05 ac)
(c) East	vacant crown land	2.35 ha (5.8 ac)
(d) West	N/A	N/A

PLANNING COMMENTS

Background:

It is proposed to rezone a 20.8 ha (51.4 ac.) portion of a subject property to allow for a lot line adjustment of the property to the east. The subject property is currently zoned as Resource/Agricultural (RA 1) in the Quesnel Fringe Area Zoning Bylaw No. 3504, 1999 and is designated as

Agricultural and Resource in the Quesnel Fringe Area Official Community Plan Bylaw No. 4844, 2013 as shown in Appendix B.

The applicant has requested to rezone a portion the subject property from Resource/ Agricultural (RA 1) to Rural 1 (RR 1) zone. The property located to the east of the subject property is currently zoned as Rural 1 (RR 1). The proposed rezoning would allow for the property to the east to be expanded. The 20.8 ha (51.4 ac.) portion of the subject lot proposed to be rezoned to Rural 1 (RR 1) can be seen in Appendix C.

Location & Surroundings:

The subject property is an unaddressed parcel located on Hazard Road, 3.5 km north of Kersley and 0.5 km west of Hwy 97. The property is currently partially treed with a seed orchard on most of the remainder of the lot. The southeastern portion of the subject lot contains an encroaching hay and cattle grazing field. The lot is vacant with no buildings.

The Fraser River runs along the western side of the property, the lots to the north and southeast are active farms for hay and cattle, and to the northeast there are predominantly single-family residential dwellings on lots ranging from 0.3 ha (0.7 ac.) to 0.8 ha (2 ac.). The subject property is located entirely within the ALR.

CRD Regulations and Policies:

3504- Quesnel Fringe Area Zoning Bylaw, 1999

5.19 RURAL 1 (RR 1) ZONE

5.17.2 ZONE PROVISIONS

- (a) LOT AREA (minimum) = 4 hectare (9.88 acre)

Rationale for Recommendations:

Planning staff are supportive of the proposed rezoning application. The proposal would allow for the future lot line adjustment of the subject property. The proposal is in compliance with the objectives of the Quesnel Fringe Area Official Community Plan (OCP) Bylaw by supporting the mandate of the Agricultural Land Commission as the agency protecting agricultural land and agricultural opportunities in section 5.2.5.

The subject property and the adjacent properties to the north and southeast are located within the Agricultural Land Reserve and have an Agricultural and Resource designation within the OCP. The northern portion of the subject lot is being farmed by the current owner, however the southern portion is not being utilized by the current owner. The farming activity taking place on the lot to the southeast is encroaching on the subject lot. The proposed rezoning of a portion of the subject lot will address the requirement in Section 4.5 (b) of the Quesnel Fringe Area Zoning Bylaw that states each such portion of the said lot shall be used in accordance with the Uses Permitted and Zone Provisions of this bylaw for that portion of the lot. This proposal is not

anticipated to have negative impacts on the ALR as the subject lot and the lot to the southeast currently being farmed and the proposal will allow for increased farm activity on the southern portion of the subject lot. The proposed lot line adjustment will be subject to subdivision approval by MoTI.

The subject property contains both an Aquatic Habitat Development Permit (AHDP) area as well as a Geotechnical Hazard Development Permit area (GHDP). An AHDP may be required at the time of subdivision; a GHDP may be required at the time of development as defined by the Official Community Plan.

The Ministry of Transportation and Infrastructure (MOTI) has reviewed the proposal and has no objections.

The Northern Health Authority (NHA) has issued notice of a temporary suspension of the review of routine proposals submitted by municipalities and regional districts as per their correspondence of September 25, 2023.

The Electoral Area 'A' Advisory Planning Commission (APC) has no comments but supported the application.

In summary, planning staff are supportive of the proposed rezoning application. The proposed zone will align with the current OCP designation and allow increased agricultural activity to take place. The registration of a shoreland management covenant with respect to sewage disposal systems and riparian protection will be required prior to adoption.

Recommendation:

That Quesnel Fringe Area Zoning Amendment Bylaw No. 5446, 2023 be given first and second reading. Further, that adoption be subject to the following:

The applicant offering to enter into and entering into a Section 219 covenant to ensure compliance with the CRD Shoreland Management Policy with respect to sewage disposal system and riparian protection.

Further, that the cost of registration of the covenant be borne by the applicants.

REFERRAL COMMENTS

Health Authority:

No response.

Ministry of Transportation and Infrastructure: September 21, 2023
EDAS:2023-04491

Thank you for giving the Ministry an opportunity to provide comments. The Ministry has reviewed the documents submitted for a proposed rezoning for the property on Hazard Road, legally described as District Lot 4958, Cariboo District, Except that Part Lying to the East of the Easterly Limit of Plan A173 and Except Plans A173, 6416 and 26734, from RA1 to RR1 to facilitate a consolidation with the neighboring property and has no objections. Please forward the bylaw for Ministry signature after it has achieved 3rd reading.

Advisory Planning Commission: October 11, 2023
See attached.

Ministry of Environment and Climate Change Strategy: Terrestrial, Aquatic Habitat and Wildlife:
No response.

BOARD ACTION

November 9, 2023:

That Quesnel Fringe Area Zoning Amendment Bylaw No. 5446, 2023 be read a first and second time, this 9th day of November 2023. Further, that adoption be subject to the following:

The applicant offering to enter into and entering into a Section 219 covenant to ensure compliance with the CRD Shoreland Management Policy with respect to sewage disposal system and riparian protection.

Further, that the cost of the registration of the covenant be borne by the applicants.

ATTACHMENTS

Appendix A: Bylaw 5446
Appendix B: General Map
Appendix C: Specific Map
Appendix D: Orthographic Map
Other: Applicant's Supporting Documentation
Advisory Planning Commission Comments
Public Hearing Results



CARIBOO REGIONAL DISTRICT

BYLAW NO. 5446

A bylaw of the Cariboo Regional District, in the Province of British Columbia, to amend Bylaw No. 3504, being the "Quesnel Fringe Area Zoning Bylaw No. 3504, 1999".

WHEREAS the *Local Government Act* authorizes the Regional Board to amend a Zoning bylaw after a public hearing and upon the affirmative vote of the Directors.

WHEREAS an application has been received to rezone property.

NOW, THEREFORE, the Board of Directors of the Cariboo Regional District, duly assembled, hereby enacts as follows:

1. CITATION

This bylaw may be cited for all purposes as the "Quesnel Fringe Area Zoning Amendment Bylaw No. 5446, 2023".

2. AMENDMENT

Bylaw No. 3504 of the Cariboo Regional District is amended by:

- i) rezoning part of District Lot 4958, Cariboo District, Except That Part Lying To The East of the Easterly Limit of Plan A173 and Except Plans A173, 6416 and 26734 from Resource/Agricultural (RA 1) zone to Rural 1 (RR 1) zone, as shown on attached Schedule "A"; and
- ii) amending Schedules "C" and "D" accordingly.

READ A FIRST TIME THIS 9th DAY OF November, 2023

READ A SECOND TIME THIS 9th DAY OF November, 2023

A PUBLIC HEARING WAS HELD ON THE 15th DAY OF February, 2024

READ A THIRD TIME THIS _____ DAY OF _____, 2024

APPROVED UNDER THE "TRANSPORTATION ACT" THIS _____ DAY OF _____, 2024

ADOPTED THIS _____ DAY OF _____, 2024

Chair

Manager of Corporate Services

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 5446 cited as the "Quesnel Fringe Area Zoning Amendment Bylaw No. 5446, 2023", as adopted by the Cariboo Regional District Board on the _____ day of _____, 2023.

Manager of Corporate Services

DL 4958, CARIBOO DISTRICT
EXCEPT THAT PART LYING TO
THE EAST OF THE EASTERLY
LIMIT OF PL A173 AND EXC
PL A173, 6416, 26734

SCHEDULE A

LEGEND

 Subject Property

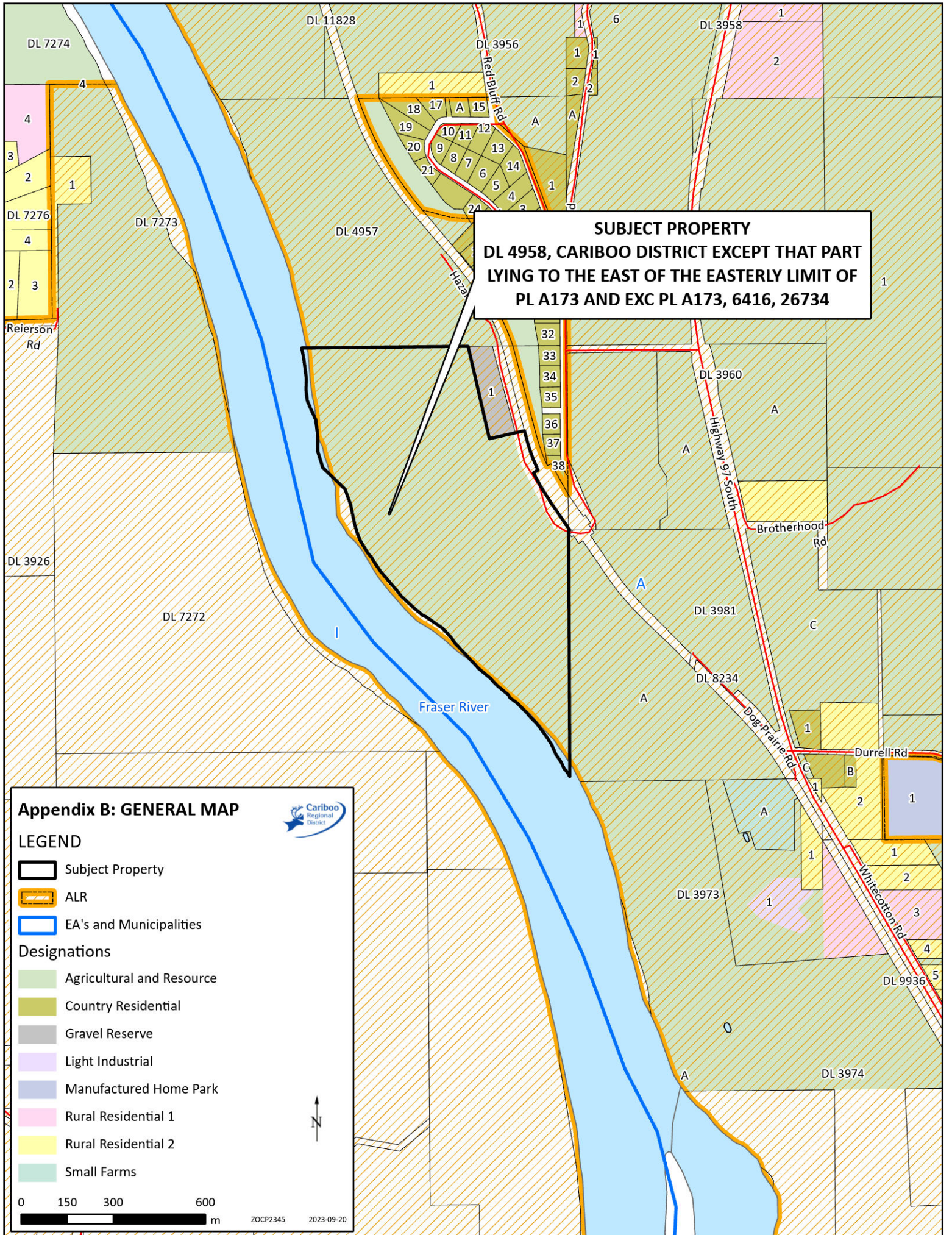
 Proposed Rural 1 (RR 1) Zone

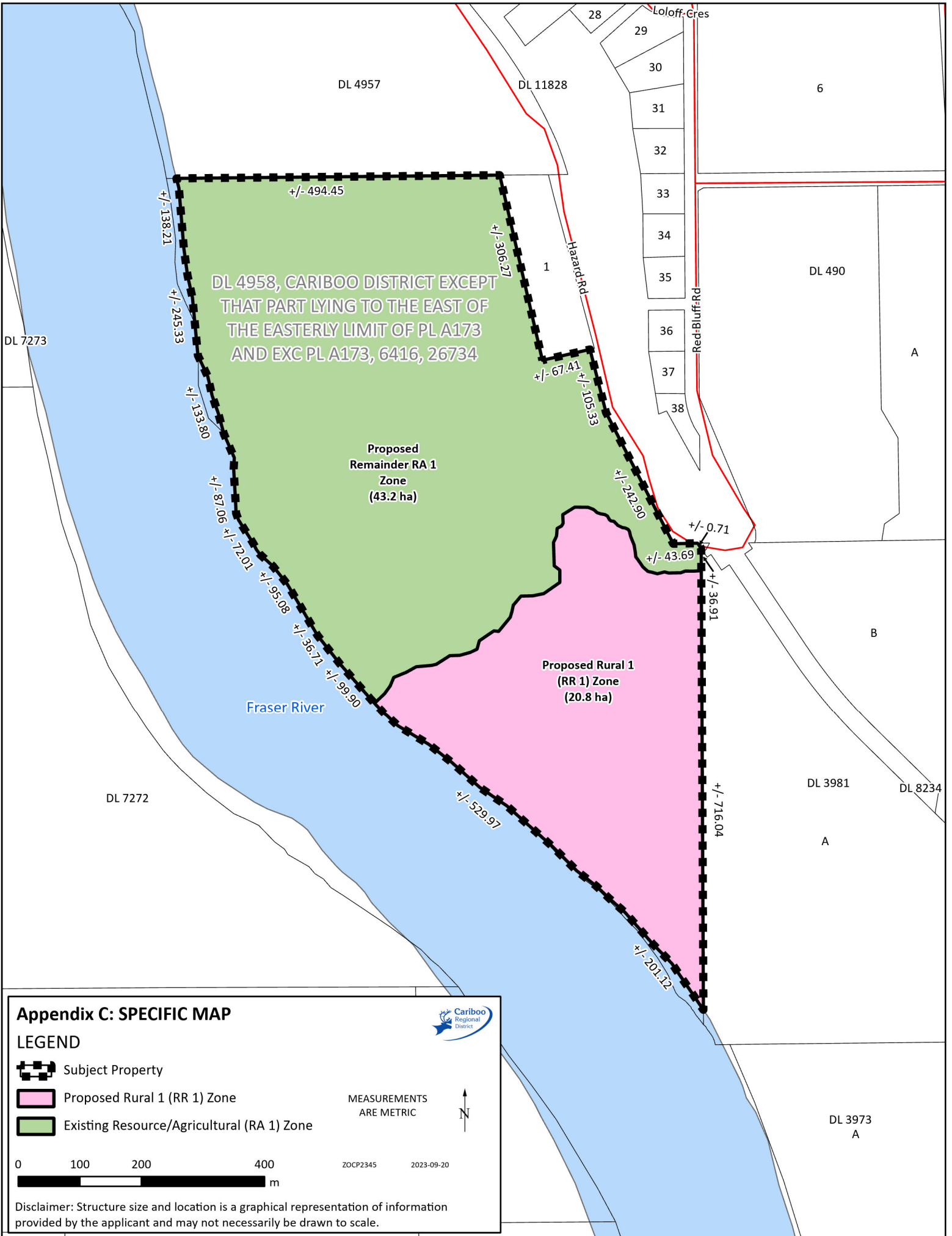


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ZOCP2345

2023-09-20





DL 4958, CARIBOO DISTRICT EXCEPT THAT PART LYING TO THE EAST OF THE EASTERLY LIMIT OF PL A173 AND EXC PL A173, 6416, 26734




Proposed Remainder RA 1 Zone (43.2 ha)

Proposed Rural 1 (RR 1) Zone (20.8 ha)

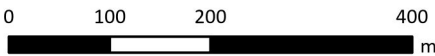
Fraser River

Appendix C: SPECIFIC MAP

LEGEND

-  Subject Property
-  Proposed Rural 1 (RR 1) Zone
-  Existing Resource/Agricultural (RA 1) Zone

MEASUREMENTS ARE METRIC



ZOCP2345 2023-09-20

Disclaimer: Structure size and location is a graphical representation of information provided by the applicant and may not necessarily be drawn to scale.

SUBJECT PROPERTY
DL 4958, CARIBOO DISTRICT EXCEPT THAT PART
LYING TO THE EAST OF THE EASTERLY LIMIT OF
PL A173 AND EXC PL A173, 6416, 26734



Fraser River

Hazard Rd


Brotherhood Rd


Dog Prairie Rd
Highway 67 South

Appendix D: GENERAL MAP ORTHO
LEGEND

-  Subject Property
-  ALR

0 100 200 400 m





ZOCP2345 2023-09-20

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Schedule A – Reasons in support of application

Select Seed Company Ltd. purchased the Remainder of DL 4958 in February 2020 to establish lodgepole pine seed orchards to produce tree seed for reforestation in BC. Information about the company can be found at: www.selectseed.ca

Two areas within the Remainder of DL4958 are suitable for seed orchards: A 50-acre hayfield on the N portion and a 35-acre area logged by the previous owners. Two pine orchards are now being established on these sites under contract with Central Interior Mapping Services of Quesnel. See aerial photo in Appendix 1.

Approximately, 51.4 acres of the Remainder of DL4958 lie to the south of Dog Prairie Creek. This area is not accessible nor suitable for tree seed orchards due to its steep and variable terrain. There is also no public road access to this portion of property, and building a bridge across the steep and unstable gully of Dog Prairie Creek is not feasible. This section of land is therefore isolated, but we believe it can be of benefit and better utilised by the neighbouring agricultural operation that does have access to that portion of land.

The Wilson family owns Lot A, DL3981, Plan 30604 immediately to the East of the Southern portion of the Remainder of DL4958. A survey conducted in 2018 identified the shared boundary runs through a field that has been farmed by the Wilsons for decades.

The Wilsons are interested in acquiring the southern portion of the Remainder of DL4958 to add to their agriculture operations. If acquired, they could increase their ability to grow crops with some clearing of the small flatter areas and use the forested slopes for grazing.

The highest and best use of the land, and greatest benefits to the agricultural sector would be realized if the area lying South of Dog Prairie Creek was appended to the Wilson's farm to create Proposed Lot 1 as show in the Site plan attached to this rezoning application.



Planning Application Advisory Planning Commission Comment Form

Date of Meeting: 11th October 2023 10.02am

Location of Meeting: CRD office, 102-410 KENNEDY STREET QUENEAU

File Number: 3360-20/20230045

Application Type: Rezoning

Electoral Area: A

Legal Description: District Lot 4958, Cariboo District, Except That Part Lying To The East of the Easterly Limit of Plan A173 and Except Plans A173, 6416 and 26734

Property Location: Hazard Road

ATTENDANCE

Present:

Chair (Acting): ROY JOSEPHY

Members: DAVE MORTON, MARGOLIE SALER, ROY JOSEPHY

TED ARMSTRONG, SIMON TURNER

Recording Secretary: SIMON TURNER

Owners/Agent: BRIAN BENNETT for SELECT SEC COMPANY

Contacted but declined to attend

Absent: DOUG SERVICE

Also Present:

Electoral Area Director: MARY SJOSTROM

Staff Support: _____

RESOLUTION

THAT application with File Number 3360-20/20230045 be **SUPPORTED** / ~~REJECTED~~ for the following reasons:

1)

2)

For: 5 Against: 0

~~CARRIED/DEFEATED~~

Termination:


That the meeting terminate.


Moved: JAYE WIFFAT

Seconded: TED ARMSTRONG

CARRIED

Time: 10.10


Recording Secretary


Chair (holding)

RESULTS OF PUBLIC HEARING

File No: 3360-20/20230045
Date: February 15, 2024
Location: Quesnel & District Seniors Centre and Via Teleconference
Re: QUESNEL FRINGE AREA ZONING AMENDMENT BYLAW NO. 5446, 2023

Persons Present:

- Director: Mary Sjoström
- Owner(s): Select Seed Company Ltd. *Brian Barber*
- Agent: Brian Bennett
- Public: See attached list
- Staff:
- am* No public in attendance (excluding owner/agent)

-
- Meeting called to order at 7:00pm MS 7:10pm.
 - Welcome, introduction and the "Purpose of a Public Hearing", including the rules for the meeting and the specifics of the application were read out.
 - The following verbal comments and questions were received: (add additional sheet if required)
 - Comments in favour:
Ø
 - Comments of concern/opposition:
 - Attendees were asked three times for further comments and/or questions.
 - The Chair called the meeting adjourned at 7:25. (Waited at least 10 mins from time of Calling to Order)

I certify this is a fair and accurate report on the results of the public hearing.


Signature of Chair

7:00 PM

Public Hearing Attendance

"Quesnel Fringe Area Zoning Amendment Bylaw No. 5446, 2023"

Date of Public Hearing: February 15, 2024

Application: Hazard Road (3360-20/20230045)

*Due to limitations of the teleconference platform, best efforts have been made to ensure attendee's names are accurate. Any errors or omissions in the record are accidental and the CRD apologizes for this inconvenience.

Name	Address
BRIAN BENNETT	[REDACTED]
Aubrey Wilson	[REDACTED]
BRIAN BARBER	[REDACTED]